UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
SARPONG, AKWASI

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/552,997	HARADA ET AL.
Office Action Summary	Examiner	Art Unit	
	AKWASI M. SARPONG	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 April 2009</u>.

2a)☒ This action is FINAL.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>12-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>12-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>13 October 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/13/2005</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1.   Claim12-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fertilsch (20040061890) in view of Nakamura (5970219) .

        Claim 12, Ferlitsch discloses an image processing system **(fig. 2 shows an**

image processing system),

        Comprising: an adding unit which adds an image processing command to

image data. **(Section 0064- thus the combination of the image commands or**

sequence (Section 0029, lines 6-12 talks about some of the capabilities that can

be used for printing) and the print data generates the printer meta data)

        an image processing apparatus **(Computer device shown in Fig. 2 as client**

40) reads image data of an original and converts thus read image data into a file format

which is determined from among plural file formats. **(Section 0056- thus the initiated**

print job is preprocessed or converted into a printer ready data- thus a file or

data that can be understood by or compatible with the printer and the languages

or file formats can be TIFF or PCL).

(Section 0066 and 0067: NB thus after the user has initiated a print job, the user also includes some commands to the print job which can include finishing, rendering and Collation, it is combined with the actual image data to form a meta file or data which can be in either TIFF or PDL file format as it is clearly discussed in Section 0063 and shown in Fig. 6, step 142) and

an image receiving apparatus **(Server 60 shown in Fig. 2)** which receives from said image processing apparatus the image data converted into the file format thus determined, **(Section 0067- thus after it has been determined that the converted file (despooled file) is in the appropriate file format (which can be TIFF or PDL))** and when the image processing command is added to the image data thus received, performs upon thus received image data an image processing which corresponds to the image processing command thus added. **(Section 0059- thus the inputted information by the user such as print quality, paper size, etc are combined or added to the image data and the print job is rendered or processed in accordance with such information)**

(Section 0029, NB: Understand that when the user selects the capabilities of the print job, the print job is printed according to the print capability information inputted by the user)

wherein said image processing apparatus **(Computer device shown in Fig. 2 as client 40).**

comprises:

a storage unit **(Memory 16 shown in fig. 1)** which stores information regarding a file format said information including whether said file format **(Section 0064- PDF, TIFF and PCL are all examples of File formats that can be used)** permits addition of the image processing command to the read image data **(Section 0066-thus the combined despooled data which comprises of the print commands and the image data in an appropriate file format is stored in the memory 16)** and

a judging unit **(Server 69 shown in Fig. 2)** which judges whether the file format that the image data of the original has been converted into has said information in said storage unit, **(Section 0064, thus before the converted image can be spooled for rendering or printing the file has to be in memory 16 and therefore the file inherently has to exist in memory for the commands or instruction to be compiled or put together).**

when said judging unit **(Server 69 shown in Fig. 2)** judges that the file format thus determined is stored in said storage unit, **(Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job file to be complete as it is clearly disclose in section),** and regarding the file format permitting addition of the image processing command to the read image data and addition by said adding unit of the image processing command to the read image data is permitted. **(Section 0058- thus before the sequence or command data will be received a decision is made to determine whether the two separate components are**

compatible and therefore the two image data are permitted before it is merged to

form the meta data).

 Ferlitsch disclose that within the image processing system the printer options are

combined to the print data to form the meta data, however Ferlitsch does not disclose

exactly where in the system is the adding unit is located.

Nakamura discloses an image processing device **(Fig. 4 El. 62-thus the image-**

integrating applications program-based data processing unit) which comprises an

adding unit **(Combining unit 66 shown in Fig. 4)** which adds an image processing

command to image data **(Col. 6 Lines 29-35-thus the combining unit 66 combines**

the two separate image data to form just one image data)- Hence Nakamura

discloses exactly that the adding unit is inside the client computer. Therefore it will be

obvious to one ordinary skilled in the art at the time the invention was made, to modify

Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is

insides the image processing device (Client computer as well known in the art) so that

print job initiated in the client computer will be combined in the client computer as taught

by Nakamura. This will make printing faster since just one page image data **(thus the**

meta data) is sent to the printer instead of two separate image data (print data and print

sequence) which will consume more time and use up more memory space.

NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the

commands set by the user is processed by image data processing unit 62 which

is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data

is processed by image data processing unit 64, therefore the combining unit adds

the two image data together to form one image data.

Claim 13, Ferlitsch discloses an image processing apparatus **(Ferlitsch: fig. 2**

shows an image processing system),

an adding unit which adds an image processing command to image data.

(Section 0064- thus the combination of the image commands or sequence

(Section 0029, lines 6-12 talks about some of the capabilities that can be used for

printing) and the print data generates the printer meta data)

reads image data of an original and converts thus read image data into a file

format which is determined from among plural file formats, **(Ferlitsch: Section 0056-**

thus the initiated print job is preprocessed or converted into a printer ready

data- thus a file or data that can be understood by or compatible with the printer

and the languages or file formats can be TIFF or PCL).

 (Ferlitsch: Section 0066 and 0067: NB thus after the user has initiated a

print job, the user also includes some commands to the print job which can

include finishing, rendering and Collation, it is combined with the actual image

data to form a meta file or data which can be in either TIFF or PDL file format as it

is clearly discussed in Section 0063 and shown in Fig. 6, step 142)

said image processing apparatus comprising:

a storage unit **(Ferlitsch: Memory 16 shown in fig. 1)** which stores information

regarding a file format **(Section 0064- PDF, TIFF and PCL are all examples of File**

formats that can be used) said information including whether said file format permits

addition of the image processing command to the read image data **(Ferlitsch: Section**

0066-thus the combined despooled data which comprises of the print commands

and the image data in an appropriate file format is stored in the memory 16) and

a judging unit **(Ferlitsch: Server 69 shown in Fig. 2)** which judges whether the

file format that the image data of the original has been converted into has said

information in said storage unit **(Ferlitsch: Section 0064, thus before the converted**

image can be spooled for rendering or printing the file has to be in memory 16

and therefore the file existed in memory for the commands or instruction to be

compiled or put together) regarding the file format permitting addition of the image

processing command to the real image data wherein when said judging unit judges that

the file format that the image data of the original has been converted into has said

information in said storage unit, **(Ferlitsch: Section 0067, thus when the file format**

exist then it is concluded that the despooled print job is complete, in other words

the appropriate file format has to be in memory for the print job to be complete).

regarding the file format permitting additions of the image processing command

to the read image data addition by said adding unit of the image processing command

to the read image data is permitted. **(Section 0058- thus before the sequence or**

command data will be received a decision is made to determine whether the two

separate components are compatible and therefore the two image data are

permitted before it is merged to form the meta data).

Ferlitsch disclose that within the image processing system the printer options are combined to the print data to form the meta data, however Ferlitsch does not disclose exactly where in the system is the adding unit is located.

Nakamura discloses an image processing device **(Fig. 4 El. 62-thus the image-integrating applications program-based data processing unit)** which comprises an adding unit **(Combining unit 66 shown in Fig. 4)** which adds an image processing command to image data **(Col. 6 Lines 29-35-thus the combining unit 66 combines the two separate image data to form just one image data)-** Hence Nakamura discloses exactly that the adding unit is inside the client computer. Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made, to modify Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is insides the image processing device **(Client computer as well known in the art)** so that print job initiated in the client computer will be combined in the client computer as taught by Nakamura. This will make printing faster since just one page image data **(thus the meta data)** is sent to the printer instead of two separate image data **(print data and print sequence)** which will consume more time and use up more memory space.

NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the commands set by the user is processed by image data processing unit 62 which is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data

is processed by image data processing unit 64, therefore the combining unit adds the two image data together to form one image data.

      Claim 14, Ferlitsch in view of Nakamura discloses an image processing apparatus wherein the file format which permits addition of the image processing command to the read image data is PDF (Portable Document Format) **(Ferlitsch: Section 0064, thus it states clearly that some of the files format available is PDF).**

      Claim 15, Ferlitsch in view of Nakamura discloses an image processing apparatus **(Ferlitsch: Computer device shown in Fig. 2 as client 40)** that further comprising a determining unit which determines, in accordance with a load condition, whether to add the image processing command to the read image data, **(Ferlitsch: Section 0065- thus the print processor makes the determination as whether there is an input commands from the user and if there is none then the decision is made as there is no command to be added and if there is one then it is checked to see if it is complete)** wherein when said determining unit determines to add the image processing command, **(Ferlitsch: Section 0028, Fig. 2 El. 49, thus the print processor makes the determination of which print job matches the printer with the appropriate driver to be able to make the conversion and therefore makes the judgment)** said judging unit judges whether the file format that the image data of the original has been converted into has said information in said storage unit regarding the file format permitting addition of the image processing command to the read image data.

(Ferlitsch: Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job to be complete).

Claim 16, Ferlitsch in view of Nakamura discloses an image processing apparatus that further comprising a sending unit which sends the image data converted into the file format thus determined. **(Ferlitsch: Section 0004, thus the spooled data is send to the appropriate printer to be converted to the file format (i.e. TIFF or PDF to mention few of them)).**

Claim 17, Ferlitsch in view of Nakamura discloses an image processing apparatus wherein the file format which permits addition of the image processing command to the read image data is a file format in which a destination of the image data can execute the image processing command. **(Ferlitsch: Section 0004, hence the appropriate print device is the destination of the print job and that contains the determined file format which can be either PDF or TIFF)**

Claim18, Ferlitsch in view of Nakamura discloses an image processing apparatus wherein the file format which permits addition of the image processing command to the read image data is PDF (Portable Document Format). **(Ferlitsch: Section 0064, thus it states clearly that some of the files format available is PDF).**

Claim 19, Ferlitsch in view of Nakamura discloses an image processing apparatus that further comprising a determining unit which determines in accordance with a load condition, **(Ferlitsch; Section 0058- that it is determined that whether the capabilities initiated by the user can be processed by the printer)** whether to add the image processing command to the read image data, wherein when said determining unit determines to add the image processing command, **((Ferlitsch: Section 0028, Fig. 2 El. 49, thus the print processor makes the determination of which print job matches the printer with the appropriate driver to be able to make the conversion and therefore makes the judgment)** said judging unit judges whether the file format that the image data of the original has been converted into has said information in said storage unit regarding the file format permitting addition of the image processing command to the read image data. **(Ferlitsch: Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job to be complete).**

Claim 20, Ferlistsch in view of Nakamura discloses wherein said sending unit sends an electronic mail to which the image data converted into the file format thus determined is attached. **(Ferlistsch: Section 0057, thus file format and the print data is transmitted though a text file and therefore the communication are established in a mail form which is send electronically).**

Claim 21, Ferlitsch in view of Nakamura discloses wherein the file format which permits addition of the image processing command to the read image data is a file format in which a destination of the image data can execute the image processing command. **(Ferlitsch: Section 0004, hence the appropriate print device is the destination of the print job and that contains the determined file format which can be either PDF or TIFF)**

Claim 22, Ferlitsch in view of Nakamura discloses wherein the file format which permits addition of the image processing command to the read image data is PDF (Portable Document Format). **(Ferlitsch: Section 0064, thus it states clearly that some of the files format available is PDF).**

Claim 23, Ferlitsch in view of Nakamura discloses an image processing apparatus **(Ferlitsch: Computer device shown in Fig. 2 as client 40)** that further comprising a determining unit which determines, in accordance with a load condition, whether to add the image processing command to the read image data, **(Ferlitsch: Section 0065- thus the print processor makes the determination as whether there is an input commands from the user and if there is none then the decision is made as there is no command to be added and if there is one then it is checked to see if it is complete)** wherein when said determining unit determines to add the image processing command, said judging unit judges whether the file format that the image

data of the original has been converted into has said information in said storage unit regarding the file format permitting addition of the image processing command to the read image data. **(Ferlitsch: Section 0028, Fig. 2 El. 49, thus the print processor makes the determination of which print job matches the printer with the appropriate driver to be able to make the conversion and therefore makes the judgment)**.

       Claim 24, Ferlitsch discloses an image processing apparatus **(fig. 2 shows an image processing system),**

       reads image data of an original and converts thus read image data into a file format which is determined from among plural file formats, . **(Section 0056- thus the initiated print job is preprocessed or converted into a printer ready data- thus a file or data that can be understood by or compatible with the printer and the languages or file formats can be TIFF or PCL).**

       (Section 0066 and 0067: NB thus after the user has initiated a print job, the user also includes some commands to the print job which can include finishing, rendering and Collation, it is combined with the actual image data to form a meta file or data which can be in either TIFF or PDL file format as it is clearly discussed in Section 0063 and shown in Fig. 6, step 142) and

       said image processing apparatus comprising:

       a storage unit **(Memory 16 shown in fig. 1)** which stores information regarding a file format said information including whether said file format **(Section 0064- PDF,**

TIFF and PCL are all examples of File formats that can be used) prohibits addition

of the image processing command to the read image data **(Section 0066-thus the**

combined despooled data which comprises of the print commands and the image

data in an appropriate file format is stored in the memory 16) and

a judging unit **(Server 69 shown in Fig. 2)** which judges whether the file format

that the image data of the original has been converted into has said information in said

storage unit, **(Section 0064, thus before the converted image can be spooled for**

rendering or printing the file has to be in memory 16 and therefore the file existed

in memory for the commands or instruction to be compiled or put together),

regarding the file format prohibiting addition of the image processing command to the

read image data,

wherein when said judging unit judges that the file format that the image data of

the original has been converted into has said information in said storage unit, **(Section**

0065- thus is determined or decided that the sequence or commands initiated by

the user can be processed by the printer) regarding the file format prohibiting

addition of the image processing command to the read image data, **(Section 0046**

thus the format has to be compatible to the printer before the combined meta

data is sent to the printer) addition by said adding unit of the image processing

command to the read image data is prohibited. **(Section 0067, thus when the file**

format exist then it is concluded that the despooled print job is complete, in other

words the appropriate file format has to be in memory for the print job to be

complete- hence if the file is not available then that particular file is prohibited).

Ferlitsch disclose that within the image processing system the printer options are combined to the print data to form the meta data, however Ferlitsch does not disclose exactly where in the system is the adding unit is located.

Nakamura discloses an image processing device **(Fig. 4 El. 62-thus the image-integrating applications program-based data processing unit)** which comprises an adding unit **(Combining unit 66 shown in Fig. 4)** which adds an image processing command to image data **(Col. 6 Lines 29-35-thus the combining unit 66 combines the two separate image data to form just one image data)-** Hence Nakamura discloses exactly that the adding unit is inside the client computer. Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made, to modify Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is insides the image processing device (Client computer as well known in the art) so that print job initiated in the client computer will be combined in the client computer as taught by Nakamura. This will make printing faster since just one page image data **(thus the meta data)** is sent to the printer instead of two separate image data (print data and print sequence) which will consume more time and use up more memory space.

NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the commands set by the user is processed by image data processing unit 62 which is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data

is processed by image data processing unit 64, therefore the combining unit adds
the two image data together to form one image data.

        Claim 25, Ferlitsch in view of Nakamura discloses wherein the file format which
prohibits addition of the image processing command to the read image data is TIFF
(Tagged Image File Format). **(Ferlitsch: Section 0064, thus it states clearly that
some of the files format available is TIFF).**

        Claim 26, Ferlitsch discloses an imaged processing apparatus, **(Computer
device shown in Fig. 2 as client 40)**

        and a controller which performs image processing control including control of
said adding unit, **(Fig. 2 El. 69, print processor-69-shows a print processor which
is for controlling all the sections in the print system)**

        reads image data of an original and converts thus read image data into a file
format which is determined from among plural file formats, **(Section 0056- thus the
initiated print job is preprocessed or converted into a printer ready data- thus a
file or data that can be understood by or compatible with the printer and the
languages or file formats can be TIFF or PCL).**

        **(Section 0066 and 0067: NB thus after the user has initiated a print job, the
user also includes some commands to the print job which can include finishing,
rendering and Collation, it is combined with the actual image data to form a meta**

file or data which can be in either TIFF or PDL file format as it is clearly discussed in Section 0063 and shown in Fig. 6, step 142)

said image processing method comprising steps of:

disposing to said image processing apparatus a storage unit which stores information regarding a file format, said information including whether said file format permits addition of the image processing command to the image data; **(Fig. 1, El 26 shows clearly a mass storage device used for storing data and the print processor which is within the printing apparatus, hence the software or programs stored in the mass storage is matched by the print processor to find the appropriate print device)** and

making said controller judge whether the file format that the image data of the original has been converted into has said information in said storage unit regarding the file format permitting addition of the image processing command to the read image data **(Section 0013, thus the print processor makes the matching decision as to which print job matches which printer and adds the optional capabilities to the print job and then eventually spooled to the printer).**

making said controller permit addition by said adding unit of the image processing command to the read image data, **(Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job to be complete).**

when it is judged that the file format that the image data of the original has been

converted into has said information in said storage unit regarding the file format

permitting addition of the image processing command to the read image data. **(Section**

0065- thus is determined or decided that the sequence or commands initiated by

the user can be processed by the printer)

Ferlitsch disclose that within the image processing system the printer options are

combined to the print data to form the meta data, however Ferlitsch does not disclose

exactly where in the system is the adding unit is located.

Nakamura discloses an image processing device **(Fig. 4 El. 62-thus the image-**

integrating applications program-based data processing unit) which comprises an

adding unit **(Combining unit 66 shown in Fig. 4)** which adds an image processing

command to image data **(Col. 6 Lines 29-35-thus the combining unit 66 combines**

the two separate image data to form just one image data)- Hence Nakamura

discloses exactly that the adding unit is inside the client computer. Therefore it will be

obvious to one ordinary skilled in the art at the time the invention was made, to modify

Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is

insides the image processing device (Client computer as well known in the art) so that

print job initiated in the client computer will be combined in the client computer as taught

by Nakamura. This will make printing faster since just one page image data **(thus the**

meta data) is sent to the printer instead of two separate image data (print data and print

sequence) which will consume more time and use up more memory space.

**NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the

commands set by the user is processed by image data processing unit 62 which

is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data

is processed by image data processing unit 64, therefore the combining unit adds

the two image data together to form one image data.**

Claim 27, Ferlitsch discloses an imaged processing apparatus, **(Computer

device shown in Fig. 2 as client 40)**

and a controller which performs image processing control including control of

said adding unit, **(Fig. 2 El. 69, print processor-69-shows a print processor which

is for controlling all the sections in the print system)**

reads image data of an original and converts thus read image data into a file

format which is determined from among plural file formats, **(Section 0056- thus the

initiated print job is preprocessed or converted into a printer ready data- thus a

file or data that can be understood by or compatible with the printer and the

languages or file formats can be TIFF or PCL).**

**(Section 0066 and 0067: NB thus after the user has initiated a print job, the

user also includes some commands to the print job which can include finishing,

rendering and Collation, it is combined with the actual image data to form a meta**

file or data which can be in either TIFF or PDL file format as it is clearly discussed in Section 0063 and shown in Fig. 6, step 142)

said image processing method comprising steps of:

disposing to said image processing apparatus a storage unit which stores information regarding a file format, said information including whether said file format permits addition of the image processing command to the image data; **(Fig. 1, El 26 shows clearly a mass storage device used for storing data and the print processor which is within the printing apparatus, hence the software or programs stored in the mass storage is matched by the print processor to find the appropriate print device)** and

making said controller judge whether the file format that the image data of the original has been converted into has said information in said storage unit regarding the file format permitting addition of the image processing command to the read image data **(Section 0013, thus the print processor makes the matching decision as to which print job matches which printer and adds the optional capabilities to the print job and then eventually spooled to the printer).**

making said controller permit addition by said adding unit of the image processing command to the read image data, **(Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job to be complete).**

when it is judged that the file format that the image data of the original has been

converted into has said information in said storage unit regarding the file format

permitting addition of the image processing command to the read image data. **(Section**

0065- thus is determined or decided that the sequence or commands initiated by

the user can be processed by the printer)

Ferlitsch disclose that within the image processing system the printer options are

combined to the print data to form the meta data, however Ferlitsch does not disclose

exactly where in the system is the adding unit is located.

Nakamura discloses an image processing device **(Fig. 4 El. 62-thus the image-**

integrating applications program-based data processing unit) which comprises an

adding unit **(Combining unit 66 shown in Fig. 4)** which adds an image processing

command to image data **(Col. 6 Lines 29-35-thus the combining unit 66 combines**

the two separate image data to form just one image data)- Hence Nakamura

discloses exactly that the adding unit is inside the client computer. Therefore it will be

obvious to one ordinary skilled in the art at the time the invention was made, to modify

Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is

insides the image processing device **(Client computer as well known in the art)** so

that print job initiated in the client computer will be combined in the client computer as

taught by Nakamura. This will make printing faster since just one page image data

(thus the meta data) is sent to the printer instead of two separate image data (print

data and print sequence) which will consume more time and use up more memory

space.

NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the

commands set by the user is processed by image data processing unit 62 which

is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data

is processed by image data processing unit 64, therefore the combining unit adds

the two image data together to form one image data.

Response to Arguments

2.   Applicant's arguments filed 04/08/2009 have been fully considered but they are

not persuasive.

3.   Regarding Claim 12 applicant argues that the examiner misunderstood or

misinterpreted Ferlitsch to map the limitations which are claimed independent claims

12, 13 and 24 similar limitations of independent method claims 26 and 27.

4.   **In reply,** Examiner respectfully disagrees because Ferlitsch clearly discloses

meta printer object as clearly explained in section 0056. As known in the art a meta data

is data generated from the combination of both print data and print sequence or

command. Thus within the image processing system shown in both fig 1 and 2, the

combination is taking place. What is not disclosed is wherein the system is the adding

or the combining unit is located. It can be in the printer or computer device or in the

server.

As clearly explained in the Office action, theisclosure of Nakamura comes in. Nakamura clearly teaches in **(Col. 6 Lines 29-35- and Combining unit 66 shown in Fig. 4)** that the combining unit is inside the computer (client computer)- thus Nakamura teaches that the meta data can be form in the client computer. . Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made, to modify Ferlitsch' s image processing device to include Nakamura's combining unit 66 which is insides the image processing device **(Client computer as well known in the art)** so that print job initiated in the client computer will be combined in the client computer as taught by Nakamura. This will make printing faster since just one page image data **(thus the meta data)** is sent to the printer instead of two separate image data (print data and print sequence) which will consume more time and use up more memory space.

NB: Col. 6 Lines 10-34, Fig. 3 El. S21 and S22, Understand that the commands set by the user is processed by image data processing unit 62 which is done in step S21 as clearly shown in Fig. 3 El. S21 while the actual image data is processed by image data processing unit 64, therefore the combining unit adds the two image data together to form one image data.

Because of the above argument of the applicant, applicant continued to argue that the cited reference fails to disclose judging unit which judges whether the file format thus determined is stored in said storage unit.

In reply, examiner respectfully disagree because a judging unit **(Ferlitsch: Server 69 shown in Fig. 2)** which judges whether the file format that the image data of the original has been converted into has said information in said storage unit **(Ferlitsch: Section 0064, thus before the converted image can be spooled for rendering or printing the file has to be in memory 16 and therefore the file existed in memory for the commands or instruction to be compiled or put together)** regarding the file format permitting addition of the image processing command to the real image data wherein when said judging unit judges that the file format that the image data of the original has been converted into has said information in said storage unit, **(Ferlitsch: Section 0067, thus when the file format exist then it is concluded that the despooled print job is complete, in other words the appropriate file format has to be in memory for the print job to be complete).**

NB: understand that the decision or determination is made by a judging unit- please see Section 0058.

Finally applicant argues that the cited reference fails to disclose the relationship between the required permission (and associated prohibition) for addition of the image processing command and a file format converted from image data and this previously claimed subject matter was in error.

In reply, Examiner respectfully disagree because as clearly explained in Section 0056, the print processed into either PCL, Postscript, PDF or TIFF and therefore

inherently the program that support these languages has to stored in the memory. On

the other hand if the program is not available then permission is not granted.

Conclusion

1.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to AKWASI M. SARPONG whose telephone number is

(571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-

5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625
AMS
08/02/2008